

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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TRAVELERS CASUALTY AND SURETY COMPANY as  
Administrator for RELIANCE INSURANCE COMPANY,

Civil Action No.:  
07-CV-6915 (DLC)

ECF CASE

Plaintiff,

vs.

THE DORMITORY AUTHORITY OF THE STATE OF NEW  
YORK, TDX CONSTRUCTION CORP. and KOHN,  
PETERSON, FOX & ASSOCIATES, P.C.,

Defendants.

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DORMITORY AUTHORITY OF THE STATE OF NEW  
YORK, and TDX CONSTRUCTION CORP.,

Third-Party Plaintiff,

vs.

TRATAROS CONSTRUCTION, INC.

Third-Party Defendants

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TRATAROS CONSTRUCTION, INC. and TRAVELERS  
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

vs.

CAROLINA CASUALTY INSURANCE COMPANY,  
BARTEC INDUSTRIES INC., DAYTON SUPERIOR  
SPECIALTY CHEMICAL CORP., a/k/a DAYTON  
SUPERIOR CORPORATION; SPECIALTY  
CONSTRCUTION BRANDS INC. t/a TEC, KEMPER  
CASAULTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY, GREAT AMERICAN  
INSURANCE COMPANY, NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, PA.,  
UNITED STATES FIRE INSURANCE COMPANY,

**ALLIED WORLD ASSURANCE COMPANY (U.S.)  
INC. f/k/a COMMERCIAL UNDERWRITERS INSURANCE  
COMPANY, ZURICH AMERICAN INSURANCE COMPANY  
d/b/a ZURICH INSURANCE COMPANY, OHIO CASUALTY  
INSURANCE COMPANY d/b/a OHIO CASUALTY GROUP,  
HARLEYSVILLE MUTUAL INSURANCE COMPANY (a/k/a  
HARLEYSVILLE INSURANCE COMPANY), JOHN DOES 1-20,  
and XYZ CORPS. 1-12,**

**Fourth Party Defendants.**

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**KOHN PEDERSEN FOX ASSOCIATES, P.C.**

**Third-Party Plaintiff,**

**-against-**

**WEIDLINGER ASSOCIATES CONSULTING ENGINEERS, P.C.,  
CASTRO-BLANCO PISCIONERI AND ASSOCIATES,  
ARCHITECTS, P.C., ARQUITECTONIA NEW YORK, P.C.,  
COSENTINI ASSOCIATES, INC., CERMAK, PETERKA  
PETERSEN, INC., JORDAN PANEL SYSTEMS CORP.,  
TRATAROS CONSTRUCTION, INC. AND LBL SKYSYSTEMS  
(U.S.A.), INC.**

**Third-Party Defendants.**

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**NOTICE OF MOTION FOR SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that upon the affirmation of Erika C. Aljens dated August 7, 2008, the affidavit of Jeffrey Leung dated August 7, 2008, and the exhibits annexed thereto, the Statement of Undisputed Material Facts Pursuant to Local Rule 56.1, and upon the accompanying Memorandum of Law, fourth-party defendant National Union Fire Insurance Company of Pittsburgh, Pa (“National Union”), by and through its attorneys, will move this Court, before the Honorable Denise L. Cote, at the United States Courthouse at 500 Pearl Street, New York, New York, on a date to be determined by the Court, for an Order pursuant to Fed. R. Civ. P. Rule 56 granting summary judgment

dismissing the fourth-party complaint against National Union pursuant to Fed. R. Civ. P., Rule 56 and awarding such other and further relief as the Court deems just and necessary.

*New York, New York*  
*August 7, 2008*



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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**CASE No.: 07-CV-6915 (DLC)**

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**TRAVELERS CAS. & SUR. V. DORMITORY AUTH. *et al.***

**UNITED STATES DISTRICT COURT  
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